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Programme planning

Proposed strategic framework for the period 2006-2007

Part two: biennial programme plan

Programme 20
Protection of and assistance to refugees

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* A/59/50 and Corr.1.

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Overall orientation

20.1 The overall objective of this programme is to provide international protection to refugees and others of concern to the United Nations High Commissioner for Refugees and to seek permanent solutions to their problems, as well as to ensure the provision of humanitarian assistance to them. Assistance is one aspect of international protection and is a means of facilitating it. It is rooted in and grows out of the protective nature of the work of the Office of the United Nations High Commissioner for Refugees (UNHCR). In its operational activities, UNHCR seeks to integrate protection and humanitarian assistance. The pursuit of durable solutions to the problems of refugees is the heart of protection and the principal purpose of this programme. The framework for the provision of international protection was further spelled out in the "Agenda for Protection" endorsed by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees and welcomed by the General Assembly in 2002.[1]

20.2 The mandate for the programme is contained in General Assembly resolution 319 A (IV), by which the Assembly established UNHCR as from 1 January 1951, and resolution 428 (V), which sets out the statute of the Office. The Assembly has also called upon the High Commissioner to ensure that returnees receive assistance to help in their sustainable reintegration, as well as to monitor their safety and well-being on return (see resolution 40/118). In addition, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations, and with the consent of the State concerned, UNHCR provides humanitarian assistance and protection to internally displaced persons (see resolution 48/116). As regards the assistance activities of UNHCR, the basic provisions of the statute were expanded by the Assembly in its resolution 832 (IX). Through the adoption by the Assembly of its resolution 58/153 of 22 December 2003 on implementing actions proposed by the United Nations High Commissioner for Refugees to strengthen the capacity of his Office to carry out its mandate, the Office was given a renewed mandate to address the challenge of forced displacement through a mission based on a spirit of solidarity, responsibility and burden-sharing, with an abiding commitment to make the Office a truly multilateral institution.

20.3 The international legal basis for the protection of refugees finds its principal expression in the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. In addition, there are a number of other international instruments of relevance, such as the 1989 Convention on the Rights of the Child. At the regional level, there are also important instruments and declarations, such as the Convention Governing the Specific Aspects of Refugee Problems in Africa of the Organization of African Unity, the Cartagena Declaration on Refugees, adopted by the Colloquium on the International Protection of Refugees in Central America, Mexico and Panama, and the San José Declaration on Refugees and Displaced Persons.

20.4 UNHCR is responsible for the implementation of the programme.

20.5 The overall strategy that will be followed consists of a range of activities undertaken in cooperation with States and various organizations and pursued with a continued strong emphasis on improving efficiency, transparency and accountability, especially through the development of an integrated operations management system. Notable among them are the following:

(a) The pursuit of comprehensive strategies, in cooperation with States and organizations ("Convention Plus Agreements"), aimed at mitigating and preventing the causes of forced population movements as well as finding solutions to them when they occur;

(b) The ongoing development of a legal regime of international protection, in particular through the promotion of accessions to international and regional instruments relating to the status of refugees or otherwise benefiting refugees, the effective implementation of refugee rights and the promotion and dissemination of refugee law and protection principles;

(c) The further development of contingency planning, emergency preparedness and response capabilities, in coordination with other organizations, so as to respond effectively and efficiently to situations of forced human displacement;

(d) Ensuring that UNHCR and its partners provide humanitarian assistance in an environmentally sensitive manner and in such a way that it is supportive of and reinforces development initiatives to the extent possible;

(e) Ensuring that UNHCR and its partners incorporate into all aspects of the delivery of humanitarian assistance the particular needs and capacities of refugee women and elderly refugees and the special needs of refugee children and adolescents;

(f) The further development, in consultation with concerned parties, of options to ensure the security and the civilian and humanitarian character of refugee camps and settlements as well as security in areas of return and to explore further concrete ways of enhancing the safety and security of UNHCR staff and other humanitarian workers working with refugees and returnees. In this regard, due consideration should be given to the obligation of United Nations officials, in the conduct of their duties, to observe fully both the laws and regulations of Member States and their duties and responsibilities to the Organization;

(g) The systematic follow-up to relevant recommendations in the plans of action emanating from recent and upcoming international conferences;

(h) The involvement, as soon as possible, of other humanitarian and development organizations, both national and international, in providing assistance to refugees and host communities and in the search for durable solutions.

20.6 The programme is under the intergovernmental guidance of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, in accordance with its terms of reference, as contained in General Assembly resolution 1166 (XII).

Subprogramme 1
International protection

Objective of the Organization: To provide international protection to refugees and to others of concern to the United Nations High Commissioner for Refugees and to seek solutions to their problems

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Enhanced international cooperation in the protection of refugees and others of concern	(a) An increase in the number of additional accessions to the relevant legal instruments
(b) Improved observation by States of internationally accepted standards for the treatment of refugees, especially the fundamental principles of asylum and non-refoulement	(b) The number of States adopting or amending national refugee legislation or related administrative arrangements in line with the 1951 refugee Convention
(c) A more timely and effective response by the international community to the protection needs of refugee women and children	(c) (i) An increase in the percentage of unaccompanied and separated children for whom durable solutions are found (ii) An increase in the percentage of sexual and gender-based violence survivors who have received psychosocial, medical, legal, or any other form of support
(d) Increased use of comprehensive and regional approaches to preventing and resolving refugee situations and other forms of involuntary displacement	(d) The number of States subscribing to "Convention Plus Agreements" and the number of such agreements concluded
(e) Progress towards finding durable solutions to the many instances of forced displacement	(e) (i) An increase in the number of refugees and other persons of concern who return from situations of forced displacement (ii) An increase in the number of persons resettled to third countries (iii) An increase in the number of development actors involved in activities aimed at promoting self-reliance and providing support to host countries within the High Commissioner's framework for durable solutions

Strategy

20.7 This subprogramme falls under the overall responsibility of the Department of International Protection. The overall objective is multifaceted and will be pursued in a number of ways. Further accessions to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees as well as to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness will be promoted. The monitoring of the observance by States of internationally accepted standards for the treatment of refugees, especially the fundamental principles of asylum and non-refoulement, will contribute to ensuring the effective implementation of refugee rights by the States concerned. This will involve working especially for the establishment by States of fair and efficient procedures for the determination of refugee status or, as appropriate, other mechanisms to ensure that persons in need of international protection are identified and granted such protection, and to ensure that all persons seeking international protection are granted access to those procedures and mechanisms. To ensure a more effective response to the protection needs of refugee women, children and adolescents, a more concerted effort to mainstream the policies and guidelines relating to refugee women, children and adolescents will be continued through the work of specially trained interdisciplinary UNHCR country teams. The promotion and dissemination of refugee law and protection principles, particularly through training, in cooperation with non-governmental organizations, academic institutions and other relevant organizations of governmental and non-governmental officials will be another means of achieving the stated objective. In addition, when, on the basis of a specific request of the Secretary-General or a competent principal organ of the United Nations, and with the consent of the State concerned, UNHCR provides protection to internally displaced persons, it will do so on the basis of criteria enumerated in the relevant resolutions of the General Assembly and in close collaboration with other concerned entities and agencies. To revitalize old partnerships and build new ones in support of the international refugee protection system, efforts to promote collaboration on refugee protection with a wide range of actors, including the Office of the United Nations High Commissioner for Human Rights, will be continued. In order to find permanent solutions to the problems of refugees, efforts will be made to promote the development of more comprehensive and regional approaches, in the form of "Convention Plus Agreements", to resolving refugee situations.

Subprogramme 2
Assistance

Objective of the Organization: To ensure the provision of humanitarian assistance to those of concern to the Office of the High Commissioner from the outset of an emergency, paying particular attention to the capacity and needs of the priority categories of refugee women, children and adolescents and the elderly

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Improved quality of life of refugees benefiting from care and maintenance programmes	(a) (i) An increase in the number of primary health-care facilities per 10,000 refugees in refugee camps (ii) An increase in the percentage of refugees participating in community-based structured programmes on HIV/AIDS
(b) Strengthened partnerships with other actors, especially sister United Nations and bilateral development agencies, in addressing the needs of refugees and returnees	(b) An increase in the number of United Nations Development Assistance Frameworks initiatives aimed at addressing needs of refugees or returnees and the surrounding communities
(c) Progress in regard to the mainstreaming of programme priorities established by the Executive Committee, namely refugee women, refugee children and adolescents, the elderly and the environment	(c) Increase in the percentage of country operations plans reflecting these key categories, with clear indications of impact indicators/outputs

Strategy

20.8 The subprogramme is under the responsibility of the Department of Operations, which embraces the various regional operations. UNHCR will engage in a number of strategies. It is concerned that assistance, whenever possible, should be delivered in such a way that it involves the recipients and taps their potential. This participatory approach will be part of a broader situation analysis which will also include improved demographic data deriving from the new registration tools (resulting from Project Profile in 2004-2005) and the use of the standards and indicators for the sectors as established in the practical guide to the systematic use of standards and indicators in UNHCR operations. This approach should lead to a significant improvement in the quality of the Office's assistance programmes, especially for refugee women, children and the elderly.

20.9 In the provision of assistance, UNHCR will aim to enhance the self-reliance of refugees and returnees, rather than increase their dependency. UNHCR, in close cooperation with its partners, has developed a framework for durable solutions. This framework will guide the Office's assistance activities to ensure that they are directed towards a durable solution to the plight of refugees. It will focus, as appropriate, on the following elements: (i) the promotion of development assistance for refugees through better targeting of such assistance to countries and areas

hosting large numbers of refugees over protracted periods; (ii) the establishment of so-called "4Rs" programmes for returnees and internally displaced persons of concern to UNHCR. These will ensure the linkages between repatriation, reintegration, rehabilitation and reconstruction. Using a country-specific approach, the programmes will provide an overarching framework for institutional cooperation between UNHCR and its development partners and are an integral part of transition strategies; and (iii) the promotion, in those cases where local integration of refugees is a viable option, of a strategy of development through local integration. Work to implement this framework will be pursued, inter alia, through the Office's membership in the United Nations Development Group and, at the country-level, by working to have refugee-related issues included in United Nations Development Assistance Frameworks.

Legislative mandates

Conventions and conference declarations

Convention relating to the Status of Refugees (1951) and its Protocol (1967)

Convention relating to the Status of Stateless Persons (1954)

Convention on the Reduction of Statelessness (1961)

Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)

Cartagena Declaration on Refugees (1984)

Convention on the Rights of the Child (General Assembly resolution 44/25) (1989)

San José Declaration on Refugees and Displaced Persons (1994)

General Assembly resolutions

58/151	Office of the United Nations High Commissioner for Refugees
58/153	Implementing actions proposed by the United Nations High Commissioner for Refugees to strengthen the capacity of his Office to carry out its mandate

Executive Committee

A/AC.96/965/Add.1	Agenda for Protection
EC/53/SC/INF.3	Framework for durable solutions for refugees and persons of concern

Notes

[1] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 12 A* (A/57/12/Add.1), annex IV.